

THE STATE BAR OF CALIFORNIA

NOTICE AND AGENDAS

Pursuant to the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors of the State Bar, article 2, sections 2 and article 3, section 1, notice is hereby given of the following regular meeting of the Board of Governors of the State Bar of California and the Board Committees of the State Bar of California:

**The State Bar Offices
180 Howard Street, 4th Floor
San Francisco, CA 94105
(415) 538-2000**

Wednesday, June 22, 2005

9:00 a.m. - 12:00 noon	Planning, Program Development, & Budget	Conference Room 4 D/E
1:30 p.m. - 4:30 p.m.	Joint Board/Judicial Council Planning Session	Stanford Ballroom West Stanford Court Hotel 905 California St. (Nob Hill) San Francisco, CA 94108 (415) 989-3500

Thursday, June 23, 2005

8:00 a.m. - 9:00 a.m.	Board Operations	Conference Room 4 E
9:00 a.m. - 10:30 a.m.	Audit Committee	Board Room (4 A/B/C)
10:30 a.m. - 11:30 a.m.	Planning, Program Development, & Budget	Conference Room 4 E
10:30 a.m. - 11:30 a.m.	Regulation, Admissions & Discipline	Board Room (4 A/B/C)
12:00 noon - 1:00 p.m.	LUNCH	Conference Room 4 D
12:45 p.m. - 1:00 p.m.	Communications & Bar Relations' Subcommittee on Volunteer Involvement	Board Room (4 A/B/C)
1:00 p.m. - 2:00 p.m.	Communications & Bar Relations	Board Room (4 A/B/C)
1:00 p.m. - 2:00 p.m.	Member Oversight	Conference Room 4 E
2:00 p.m. - 5:00 p.m.	BOARD MEETING	Board Room (4 A/B/C)

2004 - 2005 BOARD COMMITTEES

Committee on Board Operations [Bd. Ops.] (110)

1. **John K. Van de Kamp, Chair**
2. Janet M. Green
3. James O. Heiting
4. Steven J. Ipsen
5. Judy Johnson
6. David M. Marcus
7. Roderick A. McLeod
8. Joel S. Miliband
9. John G. Snetsinger

Regulation, Admissions, and Discipline Oversight Committee [RAD] (120)

1. **Joel S. Miliband, Co-Chair**
2. **Steven J. Ipsen, Co-Chair**
3. Raymond G. Aragon
4. Anthony P. Diaz
5. Marguerite D. Downing
6. Jo-Ann Grace
7. Janet M. Green
8. Thomas T. Haider
9. James A. Scharf
10. Sheldon H. Sloan

Member Oversight Committee [MOC] (130)

1. **Roderick A. McLeod, Co-Chair**
2. **Janet M. Green, Co-Chair**
3. Raymond G. Aragon
4. Jeffrey L. Bleich
5. Richard L. Crabtree
6. Jo-Ann Grace

Planning, Program Development, and Budget Committee [PPDB] (140)

1. **James O. Heiting, Chair**
2. Ruthe C. Ashley
3. Jeffrey L. Bleich
4. Richard L. Crabtree
5. Paul S. Hokokian
6. Melvin D. Lee
7. Richard A. Rubin
8. Demetrius D. Shelton
9. Dorothy M. Tucker

Communications and Bar Relations [COMBAR] (150)

1. **John G. Snetsinger, Co-Chair**
2. **David M. Marcus, Co-Chair**
3. Ruthe C. Ashley
4. Anthony P. Diaz
5. Marguerite D. Downing
6. Thomas T. Haider
7. Paul S. Hokokian
8. Melvin D. Lee
9. Richard A. Rubin
10. James A. Scharf
11. Demetrius D. Shelton
12. Sheldon H. Sloan
13. Dorothy M. Tucker

COMBAR'S Subcommittee on Volunteer Involvement

1. **David M. Marcus, Chair**
2. Paul S. Hokokian
3. Demetrius D. Shelton
4. Sheldon H. Sloan
5. Dorothy M. Tucker

Task Force on Sections (160)

1. **John K. Van de Kamp, Chair**
2. Richard L. Crabtree
3. Vivian L. Kral (former Board member)
4. Joel S. Miliband
5. James A. Scharf
6. Patricia Beyer
7. Ben Borson
8. Dena Cruz
9. John O'Banion

REVISED JUNE 17, 2005

THE STATE BAR OF CALIFORNIA
AGENDA
BOARD OF GOVERNORS MEETING

AT

The State Bar Offices
180 Howard Street, 4th Floor
San Francisco, CA 94105
(415) 538-2000

Thursday, June 23, 2005

(The times listed below are guidelines. The President reserves the right to adjust this schedule.)

Time (estimates only)

OPEN SESSION

(Johnson)	10 MINUTES	2:00 p.m. (2 minutes)
	May 13, 2005 [Special Meeting]	
	May 14, 2005 [Special Meeting for Election of Officers]	
	May 14, 2005 [Regular Meeting]	
(Van de Kamp)	30 PRESIDENT'S REPORT	2:02 p.m. (10 minutes)
(Johnson)	40 STAFF REPORTS	2:12 p.m. (5 minutes)
	41 Executive Director	
	42 Secretary	

* See closed session agenda prior to action.

50 CONSENT AGENDA

9:17 p.m.
(2 minutes)

- (Van de Kamp) 54-111 AB 1739 Amended to Require Access to Justice Commission to Report to the Legislature on Steps Needed to Improve Access to Justice [tabled by the Board at its May 14, 2005, meeting; identified on the agenda for that Board meeting as **MAY 153**]
- [Report of Emergency Fax-Poll Action Taken by the Board Committee on Operations on behalf of the Board between Regularly Scheduled Board Meetings, May 23 - 25, 2005]
- (Miliband / Ipsen) 54-121 The State Bar Sample Fee Agreements—proposed approval following public comment period
- (McLeod / Green) 54-131 Members' Requests for Adjustments to Fees and/or Penalties Previously Considered by the Membership Liaisons and Deemed that Good Cause Exists to Grant the Requests—proposed approval
- (McLeod / Green) 54-132 *Rules and Regulations of the State Bar of California*, Article 1, Section 7.2 [Waiver of Membership Fees and Penalties for Members of the Armed Forces]—proposed amendments, following public comment period, to: 1) apply to all reservists called to active duty, 2) delete the December 31, 2006, expiration date, 3) require a service member to notify the Bar within 30 days when the member is no longer on active duty and 4) to provide that if the member is on active duty more than 30 days in the year then the member's fee is waived for the entire year
- (Marcus / Snetsinger) 54-154 Rules and Procedures of the Commission on Judicial Nominees Evaluation, Rule VI, §1 [Allow Past Commissioners to Serve Pro Tempore]; Procedures for Appointment to the Commission on Judicial Nominees Evaluation, §h. [Increase Size of Commission]—proposed amendments following public comment period
- (Marcus / Snetsinger) 54-155 Documentary Film: *Raise the Bar*, re High School Teams Preparing and Competing in the National High School Mock Trial Championships—proposed endorsement
- (Van de Kamp) 55 Judicial Council—interim appointment of member to fill vacancy
- [Report of Emergency Fax-Poll Action Taken by the Board between Regularly Scheduled Board Meetings, June 3 - 9, 2005]

100-300 REPORTS OF BOARD COMMITTEES

(Van de Kamp)

110 Board Operations

2:19 p.m.
(15 minutes)

- *112 Executive Director Annual Performance Evaluation Process
- *113 Rodrigues v Superior Court Amicus Curiae Request
- 114 Draft Amendments to Article VI, California Constitution

(Miliband / Ipsen)

120 Regulation, Admissions & Discipline Oversight

2:34 p.m.
(10 minutes)

- 122 Rules 957, *California Rules of Court*, which: (1) permit a fee to be collected for the registration of unaccredited and correspondence law schools; (2) require that correspondence law schools meet the same requirements as unaccredited law schools, as much as feasible, for registration; (3) remove the specific library requirements for unaccredited law schools; and, (4) make other non-substantive changes. Rule 957, *California Rules of Court*, re Regulation of Unaccredited and Correspondence Schools—proposed amendments following public comment period
- 123 Admissions' Refund of Fees Policy 1) Provides for the return of an application and fees if a registration has not been timely filed; (2) Clarifies the documents needed by attorneys' examination applicants to qualify for a refund and specifies the refund available if applicants are deemed unqualified to take the examination; (3) Specifies the current policy regarding the abandonment of applications; and, (4) Clarifies the net refund amount that will be paid if there is an outstanding balance. Admissions' Refund of Fees Policy—proposed amendments

(McLeod / Green)

130 Member Oversight

2:44 p.m.
(6 minutes)

(Heiting)

140 Planning, Program Development, and Budget

2:50 p.m.
(10 minutes)

- 141 One-Time Budget Transfer from General Fund to Admissions Special Fund to Cover Unanticipated Expenses of Proctoring the 2005 Bar Examinations—proposed approval

- 142 Fees paid by Registrants, Applicants for Committee Administered Examination and Applicants for Determination of Moral Character—proposed increases, to be effective January 1, 2006
- 143 Fees Paid for Providing Educational Standards Services and the Accreditation of Law Schools—proposed increases, to be effective January 1, 2006
- 144 **Request for Conforming Resolution and Identification of Authorizing Personnel by the California Local Agency Investment Fund (LAIF) - At its May 14, 2005 meeting, the Board of Governors approved an investment policy, quarterly investment report format, and authorized participation in the LAIF. The LAIF has now requested that prior to authorizing investment of monies in the LAIF, the Board must adopt a specific authorizing resolution that references the enabling legislation for the fund (Gov. Code §16429.1) and identifies the officers or successors authorized to deposit or withdraw from the fund [EMERGENCY ITEM]**

(Marcus / Snetsinger)

150 Communications and Bar Relations

3:00 p.m.
(15 minutes)

- 151 Report from the Office of Government Affairs
- 152A **Potential Legislation to Grant Voting Rights to All In-state Inactive Members [EMERGENCY ITEM]**
- 152B **Potential Legislative Amendments on Nonprofit Law Corporations [EMERGENCY ITEM]**
- 152C **Potential Legislative Amendments to Enhance the State Bar's Authority to Bring Unauthorized Practice of Law Enforcement Actions [EMERGENCY ITEM]**
- 153 Sections' Questionnaire for Candidates Running for the 2006 Board of Governors Election re the Role and Value of Sections to the Bar and How the Bar Can Assist Sections to Better Serve the Bar and its Membership Sections' Questionnaire for Candidates Running for the 2006 Board of Governors Election—proposed approval

(Van de Kamp)

160 Task Force on Sections

3:15 p.m.
(5 minutes)

CLOSED SESSION

3:20 p.m.
(1 hour)

(Johnson) **1000 MINUTES**

May 13, 2005 [Special Meeting]
May 14, 2005 [Regular Meeting]

*(Closed pursuant to Rules Governing Open Meetings, Closed Sessions and
Records of the Board of Governors, article 5, section 3(a))*

3000 REPORTS OF BOARD COMMITTEES

(Van de Kamp) **3110 Board Operations**

**3115 Young J. Park—request for reconsideration of denial of
settlement request [EMERGENCY ITEM]**

4000 STAFF REPORTS

4010 General Counsel—report (a) certain litigation (to be identified); (b) any
settlement matters; (c) prospective litigation; (d) any requested waivers
of claims of privilege.

*112 Executive Director Performance Evaluation

*113 Rodrigues v Superior Court Amicus Curiae Request

(Closed pursuant to Business and Professions Code section 6026.5(a))

5000 CLOSED CONSENT

None

(Marcus /
Snetsinger) **6000 APPOINTMENTS**

6010 CLOSED CONSENT

6011 Law School Council—appointment of members

* See closed session agenda prior to action.

6012 Section Executive Committees—2005-2006 annual appointment of officers and members, Part I

6013 Section Executive Committees—2005-2006 annual appointment of officers and members, Part II

(Closed pursuant to Business and Professions Code section 6026.5(g))

ADJOURN BOARD MEETING

5:00 p.m.

* See closed session agenda prior to action.